

1281 CUSTODY AWARDS

Chapter: **Child Protective Field Services**

Section: **Working with Families in Court**



New Hampshire Division for Children, Youth and Families Policy Manual

Policy Directive: **08-03**

Approved:

Effective Date: **May 2008**

Scheduled Review Date:

Maggie Bishop, Director

Related Statute(s): [RSA 169-C](#)

Related Admin Rule(s):

Related Federal Regulation(s):

Related Form(s):

Bridges' Screen(s) and Attachment(s):

Policy

- I. Custody awards made by the Family or District Court may not be modified by the Superior Court except on an appeal based on the Family or District Court order.
- II. Problems may occur when a petition for divorce or separation is brought in Superior Court after the Family or District Court has made a custody award. RSA 169-C: 4 contains provisions that are intended to prevent the Superior Court from awarding the custody of a child to a parent who lost custody in Family or District Court due to abuse and/or neglect.
- III. If a temporary order of custody is granted by the Superior Court, DCYF checks with the Family or District Court to determine whether there has been a finding of abuse or neglect. If a finding has been made, the Superior Court must be notified in writing by the CPSW. The Family or District Court order takes precedence and may be changed or modified only through appeal under RSA 169-C: 28.